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8                   UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA  
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10                   THERESA RESPICIO,

11                   Plaintiff,

12                   v.

13                   CAROLYN W. COLVIN, Acting  
Commissioner of the Social Security  
Administration,

15                   Defendant.

CASE NO. 13-cv-05578 RJB

REPORT AND RECOMMENDATION  
ON STIPULATED MOTION FOR  
REMAND

16                   This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to 28  
17 U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4), and as authorized by *Mathews*,  
18 *Secretary of H.E.W. v. Weber*, 423 U.S. 261 (1976). This matter is before the Court on  
19 defendant's stipulated motion to remand the matter to the administration for further  
20 consideration. (ECF No. 14.)

21                   After reviewing defendant's stipulated motion and the relevant record, the undersigned  
22 recommends that the Court grant defendant's motion, and reverse and remand this matter to the  
23 Commissioner pursuant to sentence four of 42 U.S.C. § 405(g).

1 On remand, based on the parties' stipulation, the Administrative Law Judge shall hold a  
2 new hearing and issue a new decision, and plaintiff may raise any issue and submit additional  
3 evidence in support of her claim. The ALJ shall evaluate whether or not plaintiff has the  
4 medically determinable impairment of pseudotumor cerebri at step two, and if so, whether or not  
5 this impairment is severe; and, if warranted, the ALJ shall obtain medical expert testimony  
6 regarding the nature and severity of plaintiff's impairments. The ALJ also will reconsider  
7 plaintiff's residual functional capacity, and, if necessary, obtain supplemental vocational expert  
8 testimony, identifying and resolving any conflicts between the vocational expert testimony and  
9 information in the Dictionary of Occupational Titles.

10 Following proper presentation, this Court will consider plaintiff's application for costs  
11 and attorney's fees pursuant to 28 U.S.C. § 2412(d) and 42 U.S.C. § 406(b).

12 Given the facts and the parties' stipulation, the Court recommends that the District Judge  
13 immediately approve this Report and Recommendation and order that the case be **REVERSED**  
14 and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

15 Dated this 12th day of November, 2013.

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18 J. Richard Creatura  
19 United States Magistrate Judge  
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